

X07-HHD-CV16-6072009-S

SCHAGHTICOKE TRIBAL NATION,

Plaintiff

v.

STATE OF CONNECTICUT,
and
ROB KLEE, in his official capacity as
Commissioner of the Connecticut
Department of Energy and Environmental
Protection

Defendants

SUPERIOR COURT

COMPLEX LITIGATION
DOCKET OF HARTFORD

MAY 23, 2019

**STN’S MOTION FOR CLARIFICATION OF THE COURT’S MAY 22, 2019
MEMORANDUM OF DECISION DISMISSING TAKINGS CLAIMS**

Plaintiff STN moves for clarification of this Court’s May 22, 2019 Memorandum of Decision Dismissing Takings Claims (“Decision”) dismissing Plaintiff’s mortgage takings claim, and respectfully states as follows:

1. Plaintiff’s complaint contained six Counts. Briefly, Counts One and Two assert constitutional takings claims, Count Three asserts a due process claim, and Counts Four - Six assert claims for breach of fiduciary duty, and seek an accounting and a declaratory judgement.
2. The Decision expressly dismisses the mortgage takings claim, which was one of five remaining Counts pleaded in the Complaint, but then states that “Judgment will enter for the defendants.” Decision, p. 4.
3. Plaintiff moves for clarification as to whether the Court is entering judgment as to Plaintiff’s entire case, thereby dismissing the entire case, or whether the Decision is limited to the takings claims, and not to the other four Counts (Counts three through six) in the Complaint. Counts

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